IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (the "Report") in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On August 26, 2024, the Report of the Magistrate Judge (Dkt. #5) was entered containing proposed findings of fact and recommendations that this motion to vacate, set aside or correct sentence filed pursuant to 28 U.S.C. § 2255 be dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A).

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is therefore **ORDERED** that this motion to vacate, set aside or correct sentence filed pursuant to 28 U.S.C. § 2255 is **DISMISSED**. The Clerk of Court is directed to **CLOSE** this civil action.

So ORDERED and SIGNED this 3rd day of January, 2025.

SEAN D. JORDAN

SEAN D. JORDAN / UNITED STATES DISTRICT JUDGE